

## INCIDENT DATA

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## Incident Report Additional Offense List

Archdale Police Department

OCA: 201901602

Offense List (Continued)

Page 2

Counter	Offense Description	Fel/Misd	Statute	Completed/Attempted
# 4	FAIL TO MAINTAIN LANE CONTROL	M	20-146(A)	Com

# INCIDENT/INVESTIGATION REPORT

Archdale Police Department

Case # 201901602

Status Codes 1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown						
D R U G S	IBR	Status	Quantity	Type Measure	Suspected Type	Up to 3 types of activity

Assisting Officers  
*FLINCHUM, J.P. (F6648)*

Suspect Hate / Bias Motivated:

## NARRATIVE

Saturday, 06/22/2019, at approximately 3:27pm Archdale Police Department responded to I-85 southbound near mile marker 110 in reference to a multi-vehicle traffic crash. Investigation of the crash yielded Patrick Hugh Conway being arrested for Driving While Impaired in addition to multiple other traffic related charges. \*\*See Officer Narrative For Further\*\*

# REPORTING OFFICER NARRATIVE

Archdale Police Department

OCA
201901602
Date / Time Reported
Sat 06/22/2019 15:27

Victim

Society

Offense

DRIVING WHILE IMPAIRED

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MO: By Recklessly Driving While Impaired With Wanton Disregard of Safety to Others

Saturday, 06/22/2019, at 1527 hrs Archdale Police Department received a call from a cell caller advising of a possible traffic crash on I-85 SB near MM 110. The called advised multiple vehicles were along the highway, one being a tractor & trailer. A call for service was then generated for officers to respond to investigate the incident. I was dispatched as the primary unit to the call for service at 1528 hrs. I arrived on scene at 1536 hrs. Parking behind the crash on the right side of the interstate with emergency equipment activated on my patrol vehicle for safety reasons, I observed in front of my patrol vehicle parked on the shoulder a white tractor & trailer (Harris Teeter), a black Cadillac Escalade in front of the CMV, a black passenger car in the median and an additional vehicle in front of the Escalade. To begin my investigation, I walked in front of the CMV and immediately noticed substantial damage to the front right side of the Escalade along with an abundance of people standing around; two sets of witnesses and the CMV driver. I was initially met by Officer Flinchum, who arrived on scene prior to me, and a witness; Randall Maddox and his wife. Maddox immediately advised he and his wife had been traveling on I-85 SB behind the black Escalade for a substantial distance and observed the bizarre, erratic driving behavior of the Escalade. Maddox described the Escalade to have traveled for several miles all over the roadway, crossing all three southbound travel lanes and almost colliding with other vehicles prior to this crash. Maddox also advised he began filming the Escalade on I-85 SB near MM 114. This video was willingly provided to law enforcement by the witness for investigative purposes. The video was burned to a DVD-R and submitted into Archdale Police Department's Evidence as ITEM #1. The witness continued by advising he witnessed the crash, which is also captured in the video, and began stating exactly what transpired to cause the crash. Maddox added once the Escalade and CMV came to a final stop on the shoulder of the roadway, he and his wife also pulled over to be a witness for law enforcement as well as to check the welfare of the individuals involved. The witness stated he made contact with the driver of the Escalade, who will later be identified as the offender: Patrick Hugh Conway, who was located in the driver's seat of the vehicle as well as two young female children located in the back seat of the Escalade. Maddox described Conway's behavior to be very abrasive while making sure the occupants were ok. Maddox stated to me during this time "something is not right with him."

I then spoke with Officer Flinchum and received the information he had obtained about the incident prior to my arrival. Officer Flinchum advised the driver of the Escalade was located in the driver's seat of the vehicle and also two young female children were located in the back seat. Officer Flinchum stated when he initially arrived, the Escalade had come to a final stop on the shoulder of the roadway although the engine was still running. Due to the damage sustained from the crash, fluid was leaking from the front of the vehicle so Officer Flinchum advised Conway, who was located in the driver's seat, to turn the vehicle off. Officer Flinchum advised Conway missed the "push button start/stop" multiple times before finally making contact with the button to turn the engine off. Officer Flinchum advised he was also contacted by an additional set of witnesses, a male and female who witnessed the crash as well as stopped afterward, and advised they observed a strong odor of alcoholic beverage coming from Conway's person while checking on him in addition to observing Conway eating breathe mints. Officer Flinchum continued by advising he had obtained the CMV driver's information.

At this point, a very short time after arriving on scene, I walked up to the Escalade. The Escalade was positioned with the left two tires nearly touching the fog line of the right travel lane. For safety, I approached the vehicle on the passenger side. Because of the heavy damage sustained to the vehicle, the front passenger door would not open. Therefore, I opened the passenger rear door and made contact with the occupants within the vehicle. Located in the back seat were just as described, two young female children, and Patrick Conway sitting in the driver's seat. I inquired if the children were ok and it appeared as if they were scared to death. Visually they appeared ok so I

# REPORTING OFFICER NARRATIVE

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began concentrating on Conway. \*\*During this current interaction, I was located at the passenger rear door and Conway was in the driver's seat of the vehicle-approx. 3-4 feet distance was between he and I.\*\* Once Conway turned his head over his right shoulder to look at me I observed Conway's eyes to be bloodshot red and glassy. I introduced myself and advised Conway to exit his vehicle to speak with me about the crash and incident. I then re-positioned myself to the left rear corner of the vehicle to observe Conway exit the vehicle. While still seated in the driver seat, Conway placed his left hand on the door handle portion (near the control switches) of the door panel. Conway then placed his right hand on top of the door panel where the panel meets the door glass. It was evident Conway pulled himself out of the vehicle with his arms. Once Conway's feet contacted the ground (a level smooth asphalt surface) Conway released grasp of the door panel, began to lose his balance and grabbed the panel once more in attempt to regain his balance. Conway was facing the front of his vehicle during this observation. Once Conway regained his balance, he closed the door and walked toward me (at the back of the vehicle). I observed Conway to be unsteady on his feet while walking toward me. For safety, I requested Conway walk to the front right corner of his vehicle to separate us from traffic while we conversed. Again, while walking to the right front corner of the Escalade I observed Conway to be very unstable while I walked behind him and observed. Once at the right front corner of the Escalade, Conway put his hands in his pockets in which I requested him remove his hands for safety reasons and not to re-enter his pockets. Conway responded "ok" and put his hands up in the air. I then began asking Conway what happened in which he responded "I fell asleep." At this point I observed Conway's speech to be slurred. Again, Conway put his hands in his pockets. Once again he was asked to remove his hands for the 2nd time. "Ok" was his response. I asked Conway where he was coming from and heading to and he said he was coming from Raleigh and traveling to Lake James to stay with this sister. For the 3rd time, Conway put his hands in his pockets. I then completed an open hand exterior pat down of Conway's person for safety reasons. While talking to Conway I observed very evident swaying of the body; front to back as well as side to side sometimes as much as approximately 8-10 inches. It was also evident while Conway spoke, he was attempting to conceal something in his mouth and/or not talk loud to blow his breath on me. Due to the low volume of Conway's voice in attempt to keep his breath concealed, I got closer to him (now approximately 1 foot away) and explained he would have to speak up as it was hard to hear because of vehicles traveling on I-85. I then observed a very strong, potent, odor of alcoholic beverage coming from Conway's person. I then inquired about how much sleep Conway had. Conway advised he was a doctor and he worked third shift the night before, got off work at 7am Saturday morning and slept for 1.5 hours. I then inquired about how much alcohol Conway had consumed. Conway was very hesitant, looked away, began rubbing his head with both hands and stated "a beer." I then asked Conway when the last time he consumed alcohol was and he stated "noon." I then asked what size the beer was. Hesitantly, Conway responded "I don't know, regular size, I've had two beers." At this point, Conway's whole demeanor and behavior changed. Conway became very nervous and began talking about how he just wanted to go home and that he didn't do anything wrong. I explained to Conway based on my observations, training, experience and education I believed fatigue was not the only contributing circumstance to the crash. I further explained I was going to thoroughly investigate his impairment level. Conway attempted to elude this investigation by stating "I just want to go home with my girls, we were just going to Lake James." Conway would begin to be upset and then he would be very distant and refuse further cooperation. I explained to further validate my opinion of his impairment level, I would like to complete some simple test. Conway asked what that meant in which I explained the test were simple, physical tests that are used to help determine impairment. Conway then said "I'll do it, I just want to go home." When asked, Conway stated he had no physical issues that would hinder his performance with the test.

I began with the One Leg Stand Test (conducted on a flat, level, smooth asphalt surface). I assured Conway could hear and understand me clearly and when asked Conway responded "yes". During the instructional phase, I observed consistent swaying of the body which I had previously observed while talking to Conway. When Conway was told to begin, he raised his left knee to where his left thigh was parallel to the ground, immediately raised his

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arms out by his side ebest high to try to keep his balance, counted to one thousand six very quickly before stumbling and catching himself by placing his left foot back on the ground. Conway then looked at me and said "is that it? You want me to go again?" I completely re-started the test and re-assured Conway understood the instructions once more. On the second attempt, I advised Conway he could begin. Conway looked at me and said "can I use my right foot this time?" I responded "which ever foot you choose to raise." Like the first attempt, Conway raised his right knee instead of only his foot, raised his arms this time to above his shoulders, counted to one thousand four before placing his right foot back on the ground to re-gain his balance. Immediately Conway began saying he hasn't done anything wrong and how he just wanted to go home; he could call someone to fix his vehicle and go to the lake. It should be noted the vehicle was not drivable due to the heavy damage caused to the right front suspension. With the totality of ALL my observations in mind, I requested Officer Alabe complete the HGN test on Conway. Officer Alabe completed a written statement with the test disposition.

Conway was placed under arrest for DWI based solely on my observations and opinion of Conway's impairment level because of the above reasons. Once handcuffed, Conway stated numerous times "you had a choice, you made the wrong one. I haven't done anything wrong. You should feel disappointed." Meanwhile, Conway's kids were in the ambulance getting checked out by EMS due to one complaining of soreness.

Conway was taken to Archdale Police Department for processing. His kids were also taken to Archdale Police Department after being released from EMS to wait for their mother to come pick them up. When Conway and I arrived at the PD, Conway was persistent he was going to call his wife. I advised him he would have that right shortly after I advised him of his implied consent rights based on his arrest. Conway was advised of his implied rights at 4:38pm. \*\*\*While reading Conway his implied consent rights, Conway repeatedly stated "I don't have nothing to say to you" over and over and over again, REPEATEDLY. Some F words were also said by Conway in addition to him stating "I ain't doing any more test, I refuse to do anything else."\*\*\* Once I finished reading Conway his implied consent rights, I gave Conway the opportunity to sign the rights form. Again, Conway stated he had nothing to say to me and refused to sign. On his signature line I wrote in "Refused To Sign" which Conway would not initial either. (32) minutes later, I initiated the testing procedure on the Intox EC/IR II. At 5:15pm, I requested a breath sample from Conway which he refused. Conway pressed the "R" key on the keyboard with his right index finger and then the "Y" key to verify he willingly wanted to refuse.

Conway's behavior during this time was absolutely belligerent. Constantly Conway requested to call and text his wife. He was explained more times than I could count (I lost count at 14) he would have his right to a phone call after he had been in front of the Magistrate. Conway would yell then cry, then cuss me and other officers. At one point, because of Conway's behavior and constant non-comprehension of explanation to his questions, he was placed in the holding cell. This occurred once he willingly refused the Intox EC/IR II. Once in the holding cell, Conway yelled and cussed repeatedly in addition to kicking and beating the holding cell door. Conway had to be shackled to deter him from kicking the holding cell door. During the ride from the PD to Randolph County Jail, Conway repeatedly threatened me by saying the following: "you had a choice, you could have let me go. You don't know who I am. I am a doctor, a CO of a company. I'll call Governor Cooper and get you in trouble." Conway also asked multiple times for me to just unarrest him and let him go.

While at the jail, Conway uttered the following "Im so F\*\*\*\*\* stupid, I have messed up so bad" while he was almost pulling his hair on his head out. While the Magistrate was explaining the conditions of release, the Magistrate requested Conway's signature in two places on a sheet of paper for his unsecured bond. This process took approximately (1) minute to complete as Conway was still so impaired, he tried to sign the pink uniform

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citation then had to fumble through the stack of other paperwork to finally find the requested document to sign for the Magistrate once the Magistrate got up from his chair and literally pointed out again which document it was. While exiting the jail after being released, Conway looked at me and stated "you won."

I also have copies of calls for service from Guilford County Communications where several people from different counties called in to report the erratic driving of the Escalade. Some of these calls were transferred by NCSHP which is documented. These documents are reports from concerned motorists who observed the Escalade, PROVIDED THE TAG NUMBER, and described what they seen and direction of travel of the Escalade. These documents clearly depict the severity of the wanton disregard of safety and driving behavior exhibited by Patrick Conway who operated the Escalade from Wake County, NC to Randolph County (Archdale, NC) before crashing into a CMV.

The video that was provided to me of the Escalade begins filming on I-85 SB just north of I-74 bridge near MM 114. The crash occurred at MM 110. I have a video that shows approximately (4) miles of driving behavior.

# Incident Report Additional Suspect List

Archdale Police Department

OCA: 201901602

## Additional Suspect List

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S U S P E C T	Name (Last, First, Middle) Conway, Patrick Hugh				Also Known As				Home Address 3113 CONE MANOR LN RALEIGH, NC 27613			
	Empl/Occu BLUE CROSS BLUE SHIELD NC, RALEIGH, NC				Business Address BLUE CROSS BLUE SHIELD NC, RALEIGH, NC							
	DOB. / Age 05/21/1974   45		Race W	Sex M	Eth N	Hgt		Wgt		Physical Char		
	Scars, Marks, Tattoos, or other distinguishing features											
	Type of Weapon											
	Dir of Travel				Mode of Travel							
VehYr/Make/Model			Style		Color		Lic/Lis			Vin		



# Incident Report Related Vehicle List

Archdale Police Department

OCA: 201901602

1	VehYr/Make/Model 2017 CADi, Escalade Esv		Style MP		Color BLK		Lic/Lis FBW5043 NC 2019		VIN 1GYS4JKJXHR380376	
	IBR Status Destroyed/damaged/vandaliz		Date 06/22/2019		Location 185 S/MM 110, ARCHDALE NC					
	Condition		Value \$20,000.00		Offense Code 90D		Jurisdiction Locally		State # NIC #	
	Name (Last, First, Middle) Conway, Patrick Hugh				Also Known As			Home Address 3113 CONE MANOR LN RALEIGH, NC 27613 617-571-0501		
	Business Address BLUE CROSS BLUE SHIELD NC, RALEIGH, NC									
	DOB 05/21/1974	Age 45	Race W	Sex M	Hgt 602	Wgt 200	Scars, Marks, Tattoos, or other distinguishing features			

Notes